

# **Work performance outside the employer's workplace**

## **Abstract**

The aim of this diploma thesis is to describe the institute work performance outside the employer's workplace, to assess its current legislation and to provide possible solutions in terms of *de lege ferenda*.

The first part of the diploma thesis defines basic terms relating to discussed issues, which are place of work, regular workplace, homeworking and teleworking, for the purposes of better understanding of the following text.

The second part deals with the historical development of this institute from the first legal regulations relating to homeworking to current legislation contained in the Labour Code and in Act on Civil Service. One chapter of this part is also dedicated to amendment of the Labour Code from 2017, which should have brought substantial changes into this institute, but it was not accepted.

The third part represents the most significant documents concerning homeworking or teleworking at the international level and at EU level.

The Labour Code introduces several variations from statutory regulations for employees who work outside the employer's workplace and organize their working time themselves. The fourth part analyses individual variations and their impact on employees.

The pivotal fifth part deals with individual problematical aspects which may occur during work performance outside the employer's workplace and tries to offer possible solutions for altering these aspects in terms of *de lege ferenda*. In particular, it is ensuring health and safety at work, accidents at work, occupational diseases and home inviolability related to them. Other chapters are dedicated to control of work performance, data protection, records of working hours and change in the structure use purpose.

The content of the sixth part is a comparison of the Czech legislation and some of its partial institutes with legislations of Slovakia, Poland and Germany.

The last part outlines advantages and disadvantages which homeworking and teleworking bring to employees and employers.

**Key words: homeworking, teleworking, place of work**